

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION

DOUGLAS HANDSHOE

PLAINTIFF

VS.

CIVIL ACTION NO. 1:15cv382HSO-JCG

VAUGHN PERRET, CHARLES LEARY &
DANIEL ABEL, D/B/A TROUT
POINT LODGE LTD OF NOVA SCOTIA
& IN THEIR INDIVIDUAL CAPACITIES
PROGRESS MEDIA GROUP LIMITED,
MARILYN SMULDERS, TORSTAR
CORPORATION, NATIONAL
GEOGRAPHIC SOCIETY, XYZ
FOUNDATION & JOHN DOES 1-50

DEFENDANTS

**MOTION TO RELIEVE COUNSEL AND FOR ADDITIONAL TIME TO
DEFEND AGAINST THE SECOND AMENDED COMPLAINT**

COME NOW Defendants **Vaughn Perret** and **Charles Leary**, by and through their counsel, Purvis & Co. PLLC, and ask the Court to relieve counsel and to grant them fifteen additional days's time in which to plead in response to the Second Amended Complaint, showing unto the Court in support thereof the following:

Defendants Perret and Leary retained Robert Anderson Wolford, Esq., who entered his appearance in this cause of action by filing a motion for extension of time to answer the Second Amended Complaint in this action. The motion was granted by the Court on August 31, 2016, with answers due on or before September 15, 2016.

At a point following the granting of the foregoing motion, and despite diligent effort, Perret and Leary were not successful in communicating with Wolford and have not been able to confirm that he has answered on the behalf of either Defendant. Both Perret and Leary are domiciled in Nova Scotia (Canada) and the distance from the forum has exacerbated the difficulties with

attempting to re-establish contact with their counsel. It became necessary for Perret and Leary to retain new counsel in this matter.

On the docket report for this matter is listed the following ECF information for Wolford:

Robert Anderson Wolford
SHEEHAN & JOHNSON, PLLC
1902 21st Avenue
Gulfport, MS 39501
228/3889316
Fax: 228/3884433
Email: bw@gulfcoastlawyer.com

None of the foregoing firm or contact information is believed to be accurate for Wolford, further exacerbating their difficulties. The former firm of **SHEEHAN & JOHNSON, PLLC** no longer exists, having been dissolved by the Mississippi Secretary of State on or about December 20, 2014. *See*, Exhibit “A” attached hereto and thus incorporated into this motion.

The telephone number of **(228) 388-9316** given for Wolford in paragraph 4 above is answered by a representative of the Sheehan Law Firm of Ocean Springs, Mississippi. On information and belief, Wolford is not associated with that law firm.

The address of **1902 21st Avenue, Gulfport, MS 39501**, is the business address of Johnson Law Practice. On information and belief, Wolford is not associated with that law firm.

The email domain of **gulfcoastlawyers.com** is currently that of the Sheehan Law Firm. *See* Exhibit “B” attached hereto and thus incorporated into this motion.

Wolford’s Mississippi Bar listing currently shows “Company” as “Bob Wolford Esq” but does not provide a telephone number, fax number, or email address by which to contact him. *See*, Exhibit “C” attached hereto and thus incorporated into this motion.

On information and belief, Wolford has recently filed pleadings in Mississippi courts utilizing the state’s ECF system (Mississippi Electronic Courts, or “MEC”). *See*, Exhibit “D” attached hereto and thus incorporated into this motion.

Based upon Exhibit "D," it appears that the information listed for Wolford in the MEC system, different from the information for this Court, is reflected as:

Bob Wolford
Bob Wolford, Esq.
2619 Broadwater Drive
GULFPORT, MS 39507
2286694721
Fax: 2283575521
Email: bob99717@gmail.com

Perret and Leary previously had contact with Wolford at (228) 669-4721 and bob99717@gmail.com, but are now not able to establish communications with him via those means.

Perret and Leary have both now retained Purvis & Co. PLLC to represent them in this cause of action, and wish for Wolford to be relieved from further representation.

In view of the foregoing, Perret and Leary are requesting fifteen days' additional time in which to answer or otherwise defend against the Second Amended Complaint. Though undersigned counsel was recently retained in this matter and has had insufficient time in which to adequately consult with Perret and Leary, analyze the significant body of pleadings in this cause of action, and prepare a pleading responsive to the Second Amended Complaint, counsel avers that fifteen days' time will be sufficient to be able to do so.

Perret and Leary aver that they are possessed of good and meritorious defenses to the Second Amended Complaint. No party will be prejudiced by the granting of the requested relief, which is not sought for delay or improper purpose but so that justice may be accorded the parties.

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In view of the foregoing and in the interests of justice, the Court should relieve Wolford from further representation in this matter, and the undersigned now having appeared for Perret and Leary in this cause of action, should grant fifteen days' additional time for Defendants Perret and Leary to plead in response to the Second Amended Complaint.

RESPECTFULLY SUBMITTED, this the 15th day of September, 2016.

VAUGHN PERRET, DEFENDANT
and
CHARLES LEARY, DEFENDANT

BY: PURVIS & CO. PLLC

BY: /s/ Jason B. Purvis
Jason B. Purvis, MSB # 100873

OF COUNSEL:

Purvis & Co. PLLC
P.O. Box 2307
Gulfport, MS 39505
Tel: (228) 206-7174
jpurvis@purviscolaw.com

CERTIFICATE OF SERVICE

I hereby certify that, on September 15, 2016, I caused a true and correct copy of the above and foregoing to be filed utilizing the Court's CM/ECF electronic document filing system, which caused notice of such filing to be delivered to all counsel of record and parties requesting notice, and by United States First Class Mail, postage prepaid, to the following non-ECF participants having appeared in this action:

[none]

/s/ Jason B. Purvis